

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SPORTBOX, LLC. and
WILLIAM V. FRABIZIO III,

Plaintiffs,

v.

ELECTRIC-SPORTS, INC.,
JOHN CONWAY, and MARK BORTMAN,

defendants.

CIVIL ACTION NO. 04-CV-12588 DPW

**MOTION TO QUASH DEFENDANTS' REQUEST FOR ADDITIONAL TIME TO
ANSWER THE COMPLAINT AND REQUEST FOR JUDGMENT BY DEFAULT**

Sportbox, LLC. and William V. Frabizio III (hereafter, "Plaintiffs") hereby submit this Motion to Quash defendants' request for additional time to Answer the Complaint in this matter. Plaintiffs' **DO NOT** affirm defendants' motion to extend time and Defendants' state no meritorious cause or reason in their request. Defendants' have, at least, two attorneys tending to this action and Defendants' have a very extensive history of, and continue to partake in, an ongoing campaign to exhaust Plaintiffs' financial resources with the sole intent forcing Sportbox out of business. Plaintiffs' request a Judgment by Default for the full relief demanded in the Complaint. Plaintiffs' stand ready to provide the Court with irrefutable evidence to support our claims as set forth herein.

Furthermore, pursuant to Fed. R. Civ. P. 11, Plaintiffs' deny the "demand letter" whereby the defendants' request the Plaintiffs' to withdraw any claim asserted in the Complaint. Plaintiffs' do hereby inform the Court that there has been no offer of settlement, reasonable or otherwise. Hence the defendants' utterance of said "promise by the Plaintiffs" must be furnished post haste.

Respectfully submitted this 11th day of January, 2005

Sportbox, LLC.



William V. Frabizio III

Sportbox, LLC.

107 Bridge Street

Newton, MA 02458

(617) 916-1862

Certificate of Service

The undersigned hereby certifies that on January 11, 2005 I caused a true copy of the foregoing Plaintiffs' MOTION TO QUASH DEFENDANTS' REQUEST FOR ADDITIONAL TIME TO ANSWER THE COMPLAINT AND REQUEST FOR JUDGMENT BY DEFAULT to be served by Federal Express (Tracking Number 7908 8509 2098) on counsel for all parties so represented:

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William V. Frabizio III